

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

CR. NO. 17-20274

v.

HON. BERNARD A. FRIEDMAN

JUMANA NAGARWALA,

Defendant.

NOTICE OF REQUEST FOR DISCOVERY

In compliance with the Standing Order for Discovery and Inspection that will be entered in this case, Defendant, JUMANA NAGARWALA, by and through her counsel, Shannon M. Smith, hereby provides the Government with the following requests and notices:

1. It is hereby requested that the Government provide copies or an opportunity to make copies of:

(a) Any information within the meaning of the “Standing Order,” paragraph 1(a) and/or Rule 16(a)(1) of the Federal Rules of Criminal Procedure, including specifically:

- i. Any oral statement of defendant, as required by Rule 16(a)(1)(A);
- ii. Any written statement or recorded statement of defendant, as required by Rule 16(a)(1)(B);
- iii. Defendant’s prior criminal record, as required by Rule 16(a)(1)(B);
- iv. Any documents and tangible objects material to the preparation of the defense, including tape recordings and transcripts, intended to be used in the Government’s case-in-chief, or obtained from or which belong to the Defendant, as required by Rule 16(E);
- v. Any reports of examination and tests, as required by Rule 16(A)(1)(F);

vi. A written summary of the testimony of any expert witness, as required by Rule 16(a)(1)(G).

(b) Any exculpatory evidence within the meaning of the “Standing Order,” paragraph 1(b) and/or *Brady v. Maryland*, 373 U.S. 83 (1963) and *United States v. Agurs*, 427 U.S. 97 (1976).

(c) Any impeachment evidence or information pursuant to *Giglio v. United States*, 405 U.S. 150 (1972).

(d) Any document which will be used to refresh the memory of a witness within the meaning of the “Standing Order,” paragraph 8 and/or Rule 612 of the Federal Rules of Evidence.

(e) Any statement by persons who have possible knowledge or information relative to this case which are not protected from disclosure by 18 U.S.C. § 3500(a).

(f) Any statements of witnesses within the meaning of 18 U.S.C. § 35(e). Defendant acknowledges that such statements are purportedly protected by statute from disclosure at this point in the proceedings. Nevertheless, she requests immediate disclosure to protect her constitutional rights, including but not limited to, the right to effective assistance of counsel and effective cross-examination. Failure to do so may, in all likelihood, necessitate delays during trial to prepare for cross-examination.

2. Defendant requests that the prosecution provide an opportunity to review the documents or records relating to the chain of possession of any exhibit, which the prosecution intends to introduce in evidence at trial, as required by paragraph 6 of the Standing Order.

3. Notice is hereby given pursuant to the “Standing Order,” paragraph 5(b) that the foundation for any and all exhibits may be contested.

4. Notice is hereby given pursuant to the “Standing Order,” paragraph 6, that the chain of custody of any and all exhibits may be contested.

5. Notice is hereby given pursuant to the “Standing Order,” paragraph 7, that any scientific analysis or summary testimony by experts will be contested unless there has been a proper basis for the testimony under Federal Rules of Evidence 702, 703, 705 and 1006.

6. Notice is requested of the nature of any evidence of other crimes, wrongs or acts of Defendant that the Government will seek to admit pursuant to Federal Rule of Evidence 404(b).

7. Notice is requested, pursuant to Federal Rule of Criminal Procedure 12(d)(2), of the Government's intent to use in its case-in-chief any evidence which Defendant is entitled to discover under Federal Rule of Criminal Procedure 16.

8. All requests for information, materials, or evidence contained herein are continuing and the prosecution is expected to immediately provide any additional information, materials, or evidence as required by the "Standing Order," paragraph 3, and/or Rule 16(c) of the Federal Rules of Criminal Procedure.

9. Notices contained herein will remain in effect unless expressly withdrawn.

Respectfully submitted,

/s/ SHANNON M. SMITH
SHANNON. M. SMITH (P68683)
Attorney for Defendant Jumana Nagarwala
The Law Offices of Shannon M. Smith, P.C.
1668 South Telegraph Road
Suite 140
Bloomfield Hills, Michigan 48302
(248) 636-2595
attorneyshannon@gmail.com

Dated: May 1, 2017

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

CR. NO. 17-20274

v.

HON. BERNARD A. FRIEDMAN

JUMANA NAGARWALA,

Defendant.

_____ /

CERTIFICATE OF SERVICE

I hereby certify that on May1, 2017, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of such filing to the following:

SARA D. WOODWARD
AMY MARKOPOULOS
MALISA CHOKSHI DUBAL
Assistant United States Attorneys

/s/ SHANNON M. SMITH
SHANNON. M. SMITH (P68683)
Attorney for Defendant Jumana Nagarwala
The Law Offices of Shannon M. Smith, P.C.
1668 South Telegraph Road
Suite 140
Bloomfield Hills, Michigan 48302
(248) 636-2595
attorneyshannon@gmail.com